

Memorandum of Understanding

between

The Ministry of Defence of the United Kingdom
of Great Britain and Northern Ireland

and

The Department of Defense of the
United States of America

Concerning

The Exchange of Reserve Officers

The Ministry of Defence of
the United Kingdom of Great Britain
and Northern Ireland

and

the Department of Defense of the
United States of America

have, in regard to the exchange of Reserve Officers, reached the following understanding.

SECTION 1

Object

1. The purpose of the exchange program for Reserve Officers of the U.S. Forces and the British Forces is to maintain the active relationship existing between the armed forces of the two countries.
2. Reserve Officers from those units or agencies of all Services of the two countries which are dependent on cooperation in crisis and war will be given the opportunity to familiarize themselves, inter alia, with the structure, organization, equipment and operational doctrine of the armed forces of the other country and to gain practical experience with regard to opportunities for cooperation.
3. The program will be based on the exchange of a balanced number of fully trained Reserve Officers who should be of equal rank wherever possible.

SECTION 2

Definitions

The following definitions shall apply for the purpose of this Memorandum of Understanding:

1. "Exchange Reserve Officer" - Reserve Officers of the Sending State who are attached to the Host Service under this exchange program.
2. "Parent Service" - the national unit or military department to which an Exchange Reserve Officer has been recalled for a period of Reserve duty training.
3. "Host Service" - the unit or military department to which an Exchange Reserve Officer has been attached under this exchange program.
4. "Receiving State" - the State to which the Host Service belongs.
5. "Sending State" - the State to which the Parent Service belongs.

SECTION 3

Selection Criteria

Exchange Reserve Officers will be carefully selected from among the Reserve Officers of the Sending State. The Sending State will have sole responsibility for the selection of its Exchange Reserve Officers on the basis of the following criteria: The Reserve Officers selected must

- be well versed with the existing procedures and operational principles of their Parent Service;
- have the theoretical knowledge and practical experience qualifying them for their specific tasks and assignments;

- be in possession of the certification of security clearance required for their respective assignments;

SECTION 4 Assignment

1. The Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland and the Secretary of Defense of the United States of America will determine the assignments of Exchange Reserve Officers by joint arrangement.
2. Exchange Reserve Officers will not exercise command authority over personnel of the Host Service.
3. Exchange Reserve Officers may only participate in the activities of the Host Service in so far as such participation may constitute training. Exchange Reserve Officers will not participate in combat missions and police actions or actions serving the interests of internal security nor will they visit the combat area.
4. In the case of hostilities, regardless of whether or not they are preceded by a declaration of war, Exchange Reserve Officers will be returned as quickly as possible to their Parent Service unless that body specifically requests otherwise.

SECTION 5 Duration of Exchange Duty

1. Exchange Reserve Officers must have been recalled for Reserve duty training in the armed forces of the Sending State throughout the period of exchange duty.
2. As a rule, the duration of exchange duty for Exchange Reserve Officers will be 2 to 4 weeks. Any change in the duration of exchange assignments will be made by joint arrangement.

SECTION 6 Alert Readiness

Exchange Reserve Officers may perform armed alert readiness duties only when attached to units under the Operational control of NATO military authorities or to units which will be assigned to NATO upon declaration of a certain alert stage.

SECTION 7 Administration and Control

1. Exchange Reserve Officers will remain officers of their Parent Service.
2. Exchange Reserve Officers of the U.S. Forces undergoing Reserve duty training in the British Forces will be under:
 - a. The administrative control of USCINCEUR for the duration of that assignment;
 - b. The control of their responsible specialized Service superiors in the British Military unit or agency concerned in matters pertaining to their exchange duties.
3. Exchange Reserve Officers of the United Kingdom undergoing Reserve duty training in the U.S. Forces will be:
 - a. Under the administrative control of the United Kingdom Defense Attache, Washington, DC;
 - b. Under the control of their responsible Service superiors in the U.S. military unit or department concerned in matters pertaining to their exchange duties;

c. Attached for economic support to the Federal Armed Forces Administrative Agency, USA/CA, in Washington, DC.

SECTION 8 Disciplinary Matters

1. Exchange Reserve Officers will comply with the regulations, orders, instructions and customs of the Host Service to the extent that they are applicable to them and are in keeping with the laws of the Sending State.
2. Exchange Reserve Officers contravening the laws of the Receiving State or acting in breach of regulations, orders, instructions and customs of the Host Service may be relieved from duty under the exchange program at the request of the Host Service. This will be without prejudice to the authority of the Sending State to withdraw its exchange officers from the program.
3. Exchange Reserve Officers will not have disciplinary authority over personnel of the Host Service.
4. Consistent with paragraph one of this section, Exchange Reserve Officers will comply with lawful orders given by officers of the Host Service who are senior to them in rank and position, provided that the orders relate to the exchange program.
5. The Host Service will not take disciplinary action against Exchange Reserve Officers of the Parent Service.
6. At the request of competent authorities of the Parent Service, the Host Service will support the Parent Service in the implementation of administrative measures and in the imposition and enforcement of disciplinary measures to the extent compatible with the laws and regulations of the Receiving State.

SECTION 9 Duty Travel

1. Exchange Reserve Officers will participate in necessary duty trips within the North Atlantic Treaty area as directed by appropriate Host Service agencies.
2. Exchange Reserve Officers who wish to travel outside the North Atlantic Treaty area will obtain the prior consent of the Parent Service.

SECTION 10 Efficiency Reports

1. Inputs to efficiency reports to be prepared under the regulations of the Parent Service may be requested from the Exchange Reserve Officers' immediate superiors in the Host Service. They will be informal and will focus on the training to be performed by the Exchange Reserve Officers.
2. Such inputs will be transmitted in writing to the Parent Service through appropriate channels and will then be forwarded by the Parent Service to the personnel administration agency concerned.

SECTION 11 Security

1. During the selection process, each government will inform the other of the level of security clearance required, if any, to permit candidates access to classified information. Access to classified information will be kept to the minimum required to accomplish the work assignment determined by the Receiving State based on the position description.
2. Nominations of Exchange Reserve Officers to take part in the exchange are to include individual security clearances and are to be passed to each national point of contact no later than 14 days prior to the commencement

of the exchange.

3. The Exchange Reserve Officers at all times will be required to comply with security laws, regulations and procedures of the Receiving State. Any violation of security procedures by a participant during his assignment will be reported to the Sending State for appropriate action.

SECTION 12

Hours of Service, Leave and Passes

1. Exchange Reserve Officers will observe the same hours of service as comparable officers of the Host Service. This includes public holidays. Exchange Reserve Officers may observe public holidays in accordance with the regulations of the Sending State so far as this is compatible with Host Service requirements.

2. Special leave and passes will be granted in accordance with entitlements under the national laws and regulations of the Parent Service. Applications for leave will be submitted to the responsible superior officer of the Host Service who will forward them with his comments to the responsible administrative authority of the Parent Service.

SECTION 13

Dress and Grooming Standards

1. Exchange Reserve Officers will comply with the dress regulations of their Parent Service. The specific order of dress for any occasion will be that which most closely conforms to the order of dress of their Host unit.

2. Exchange Reserve Officers will be provided with special clothing and equipment in accordance with the procedures applicable to officers of the Host Service. The rules of the Receiving State regarding the wearing of special clothing will apply.

SECTION 14

Accommodations, Messing and Welfare Facilities

1. The Host Service will make available to Exchange Reserve Officers appropriate accommodations, messing, and welfare facilities in accordance with the standards applicable to its own officers. Messing and accommodation fees will be paid directly by the Exchange Reserve Officers at the non-entitled rate.

2. Purchasing and patronage privileges of military-owned commissaries, exchanges, cinemas, and clubs will be granted to exchange officers on the same conditions as to personnel of the Host Service.

SECTION 15

Medical and Dental Service

1. Outpatient Treatment. Exchange Reserve Officers will be granted free outpatient medical and dental treatment in military medical facilities of the Receiving State or the Host Service in accordance with the regulations applicable at the time. This does not include the provision of visual and hearing aids, orthopedic and other appliances, artificial limbs, and dentures. Costs of privately arranged outpatient treatment by civilian physicians or dentists in civilian clinics or hospitals will be borne by the Exchange Reserve Officer.

2. Inpatient Treatment. Inpatient treatment of Exchange Reserve Officers in military medical facilities of the Receiving State or the Host Service will be provided against reimbursement of costs. Costs of other privately arranged inpatient treatment in civilian clinics or hospitals will be borne by the Exchange Reserve Officer.

SECTION 16

Costs

1. To the extent authorized by its laws and regulations, the following costs will be borne by the Sending State during the tour of exchange duty:

- a. Emoluments and allowances due to Exchange Reserve Officers;
- b. Costs incident to travel to the Receiving State and, at the end of the tour of exchange duty, to Parent Service;
- c. Costs for formal training according to an established curriculum and costs of familiarization courses and similar courses;
- d. Repatriation, funeral expenses, and other costs incident to the death of an Exchange Reserve Officer;
- e. Compensation for loss of or damage to the uniform or other personal property of the Exchange Reserve Officer;
- f. Billeting fees for Exchange Reserve Officers at the non-entitled rate.

2. To the extent authorized by its laws and regulations, the following costs will be borne by the Receiving State during the tour of exchange duty;

- a. Costs incident to travel within the Receiving State;
- b. Costs of instruction incident to any assignment when ordered by the Host Service.

3. Billing:

a. For U.S. Exchange Reserve Officers, send bills to:
US Embassy London Defense Attache Office
24/31 Grosvenor Square
London W1A 1AE

b. For United Kingdom Exchange Reserve Officers, send bills to:
MOD (DARC)
G Block
Duke of York's Headquarters
Chelsea
London
SW3 4S5

SECTION 17 Status

The Agreement between the Parties to the North Atlantic Treaty Regarding the Status of their Forces (NATO SOFA), dated June 19, 1951, will apply to Exchange Reserve Officers. In addition, the Agreement to Supplement the NATO SOFA, dated August 3, 1959, will apply to U.S. Exchange Reserve Officers.

SECTION 18 Claims

Claims between the States will be dealt with as follows:

- a. The settlement of all claims caused by the acts or omissions of Exchange Reserve Officers will be governed by the applicable conditions of Article VIII of the NATO Status of Forces Agreement (SOFA). For the purpose of applying Article VIII of the NATO SOFA the "Receiving State" will be read as the "Sponsoring Country" the "Sending State" will be read as being the "Parent Country".

b. Exchange Reserve Officers will obtain civil liability insurance for their private motor vehicles in accordance with the applicable laws and regulations of the Receiving State.

c. Exchange Reserve Officers are responsible for their personal property and should obtain insurance to cover loss or damage.

SECTION 19
Amendment

This Memorandum of Understanding may be amended with the mutual consent in writing of both States.

SECTION 20
Disputes

Any disagreement regarding the interpretation of this Memorandum of Understanding will be resolved by consultation between the States without reference to a third party or international tribunal for settlement.

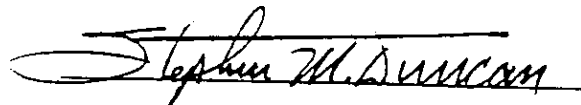
SECTION 21
Effective Date and Duration

This Memorandum of Understanding becomes effective upon the date of the last signature and will continue in operation unless terminated by either State giving the other six months written notice of termination.

Signed (in duplicate) at Washington, D.C. on the 11th of September 1989.

FOR THE MINISTRY OF DEFENCE OF
THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND

FOR THE DEPARTMENT OF
DEFENSE OF THE UNITED
STATES OF AMERICA



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Charles A. Ramsay
Major General, Director General
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Stephen M. Duncan
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Defense for Reserve Affairs